

**REMARKS**

Claims 1-7 and 10-20 are all the claims presently pending in the application. Claims 1 and 3 have been amended to more particularly define the invention. Claims 14-20 have been added to claim additional features of the invention. Claims 8 and 9 have been canceled.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 3, 5, 7, 9, 11, and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by YASUHARA (U.S. Patent Application Publication No. US 2003/0053638 A1). Claims 1, 2, 4, 6, 8, 10, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over YASUHARA.

These rejections are respectfully traversed in the following discussion.

**I. THE CLAIMED INVENTION**

The claimed invention as recited by, for example, independent claim 1, is directed to an acoustic device including a plurality of sound sources, a first output unit and a second output unit for outputting sound based on sound signals from the sound sources, a mode setting unit responding to a predetermined operation for switching and setting a first mode, in which the sound based on the sound signals from one of the sound sources are output from the first output unit, and a second mode, in which while the sound based on the sound signals from one of the sound source are being output from the first output unit, the sound based on the sound

signals from another sound source are output from the second output unit, a remote operation unit for operating the acoustic device remotely, and a control unit for controlling the mode setting unit to turn ON the power source of the acoustic device in the second mode, when the control unit detects a power ON demand signal from the remote operation unit while the power source is OFF. The control unit sets a sound output of the first output unit in an interrupted state when the power source of the acoustic device is turned ON in the second mode while the power source is OFF.

In a conventional vehicular audio system having dual media function, a dual mode can be set in response to the predetermined operation of the front operation unit. In the dual mode thus set, different sound sources can be provided for the speaker and the headphone.

Therefore, the front and rear passengers can accept sound signals from the different sound sources through the speaker and the headphone. (See Application at page 3, lines 8-15).

However, since only the front operation unit sets the dual mode, the rear passenger cannot set the audio system in the dual mode. Therefore, the rear passenger has to ask the front passenger to set the dual mode through the front operation unit so that the front passenger is burdened with the setting operations. (See Application at page 3, lines 23-25).

In stark contrast to the conventional control units, in the present invention, when the remote operation unit is arranged in the rear of the vehicle, the power source can be turned ON in the dual mode without burdening the operations of the front passenger. (See Application at page 5, lines 1-7). Also, when the rear passenger turns ON the power source in the dual mode, it is possible to reliably prevent the situation, in which the front passenger might otherwise be threatened by a sudden speaker output. (See Application at page 11, lines 16-24).

## II. THE 35 USC §112, SECOND PARAGRAPH REJECTION

Claims 8-9 stand rejected under 35 U.S.C. §112, first paragraph. This rejection is traversed.

The features of claims 8 and 9, *“wherein the control unit sets the sound output of the first output unit in an interrupted state when the power source of the acoustic device is turned ON in the second mode while the power source is OFF.”* is taught throughout the specification. For example, page 18, lines 20-25 describes:

*“The output switching control unit 32 controls the speaker output switching unit 15 and the headphone output switching unit 16 for selecting/outputting the sound signals from the designated one of the sound sources.”*

Also, Page 11, lines 11-23 of the specification describes:

*“the control unit sets the sound output of the first output unit in an interrupted state when the power source of the acoustic device is turned ON in the second mode while the power source is OFF,..., therefore, when the power source of the acoustic device is turned ON in the second mode such as the dual mode while it is OFF, the sound outputs of the first output unit such as the speakers are interrupted. Even when the rear passenger turns ON the power source in the dual mode, therefore, it is possible to reliably prevent the situation, in which the front passenger might otherwise be threatened by a sudden speaker output.”*

For at least the above disclosure, one reasonably skilled in the art would be able to make or use the control unit from the disclosure coupled with information known in the art without undue experimentation. Therefore, the enable requirement is satisfied.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

### III. THE PRIOR ART REFERENCE

#### A. § 102 Rejection over Yasuhara

The Examiner alleges that Yasuhara teaches the claimed invention of claims 3, 5, 7, 9, 11, and 13. The Applicants submit, however, that Yasuhara does not teach or suggest each and every feature of the claimed invention.

Claim 3 recites, inter alia:

*“a control unit for controlling the mode setting unit to turn ON the power source of the acoustic device in the second mode, when the control unit detects a power ON demand signal from the electronic device through the external connection unit while the power source is OFF,*

*wherein the control unit sets a sound output of the first output unit in an interrupted state when the power source of the acoustic device is turned ON in the second mode while the power source is OFF.”*

Yasuhara does not teach or suggest the above features as now recited in exemplary claim 3.

The Examiner alleges that Yasuhara teaches the above features as now recited in the exemplary claim 3. More specifically, the Examiner attempts to equate speakers 10 and 11 as the first output unit of the claimed invention. (Office Action, page 3, paragraph 3, line 6). However, Yasuhara only teaches that if a DVD is inserted into the DVD player when the entertainment system 1 is off, the entertainment system and the rear system 1 are simultaneously turned on. Also, the last selected audio source before the entertainment system is turned off is selected as the front audio source. The rear audio source is the DVD. (Paragraph 58). Yasuhara also teaches that if the front and rear audio sources are different, the sound from the front audio source comes only from the front speakers 10 while the sound from the rear audio source comes out of the headphones 13. (Paragraph 131). Yasuhara does not teach or suggest that sound output from the front speakers 10 is interrupted. Therefore,

Yasuhara fails to teach or suggest the claimed invention.

Since the Applicants submit that there are elements of the claimed invention that are not taught or suggested by Yasuhara, the Examiner is respectfully requested to withdraw this rejection.

**B. § 103 Rejection over Yasuhara**

The Examiner alleges that Yasuhara teaches and suggests the claimed invention of claims 1, 2, 4, 6, 8, 9, and 10. The Applicants submit, however, that Yasuhara does not teach or suggest each and every feature of the claimed invention.

Specifically, it is our understanding that Yasuhara does not teach or suggest, *"a control unit for controlling the mode setting unit to turn ON the power source of the acoustic device in the second mode, when the control unit detects a power ON demand signal from the remote operation unit while the power source is OFF,*

*wherein the control unit sets a sound output of the first output unit in an interrupted state when the power source of the acoustic device is turned ON in the second mode while the power source is OFF."*

As discussed previously, Yasuhara does not teach or suggest the above-recited features in claim 3, which are similarly recited in claim 1 and incorporates the features of the now canceled claim 9. It also would not be obvious to modify Yasuhara to include the features of the claimed invention, as recited in claim 1, because Yasuhara does not identify any problem that the features of the current invention would solve. Therefore, Yasuhara does not teach or suggest every feature of the claimed invention.

Since the Applicants submit that there are elements of the claimed invention that are not taught or suggested by Yasuhara, the Examiner is respectfully requested to withdraw this rejection.

### **III. NEW CLAIMS**

New claims 14-20 are patentable over any combination of the cited references at least based on similar reasons to those set forth above with respect to claims 1 and 3.

### **IV. FORMAL MATTERS AND CONCLUSIONS**

In response to the Examiner's objections, we amend the claimed features of canceled claims 8 and now, as now incorporated into claims 1 and 3, in a manner believed fully responsive to all points raised by the Examiner. More specifically, "the sound output" to "a sound output" to comply with the antecedent basis requirement.

In view of the foregoing, Applicants submit that claims 1-7 and 10-20, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

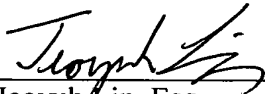
The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Serial No. 10/669,802  
Docket No. C14-161741M/ISI  
Our Docket No. NGB.305

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Respectfully Submitted,

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